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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/039,982	10/19/2001	Chad Nelson	12477-009001	8775
26191	7590	07/28/2005	EXAMINER	
FISH & RICHARDSON P.C. PO BOX 1022 MINNEAPOLIS, MN 55440-1022			FONTAINE, MONICA A	
			ART UNIT	PAPER NUMBER
			1732	

DATE MAILED: 07/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/039,982

Applicant(s)

NELSON ET AL.

Examiner

Monica A. Fontaine

Art Unit

1732

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) 1-12 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 21-26 is/are allowed.
- 6) ☒ Claim(s) 13-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

This office action is in response to the Amendment filed 14 April 2005.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 13-17, 19, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bordener (U.S. Patent 5,766,500), in view of Gray (U.S. Patent 5,316,715), as stated in the paper mailed 2 November 2004.

Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bordener and Gray, as applied to claim 13 above, further in view of Gustavel et al. (U.S. Patent 5,326,523), as stated in the paper mailed 2 November 2004.

Response to Arguments

Regarding Claims 13-20, applicant's arguments filed 14 April 2005 have been fully considered but they are not persuasive.

Applicant contends that Bordener does not teach an adjustable edge member disposed on the generally planar molding surface. This is not persuasive because the word "on" can be used to indicate position *above* and supported by or in contact with (emphasis added- see

Art Unit: 1732

www.dictionary.com for "on" entry). Therefore, it is maintained that even though Bordener's divider bar is suspended above the mold planar surface, his disclosure suggests the instant claim(s).

Applicant contends that Bordener and Gray are not combinable. This is not persuasive because Gray is primarily cited to teach heating of the resin in the mold cavity, i.e. the independent claim 13 does not require rotational molding. It is maintained that it would have been prima facie obvious to one of ordinary skill in the art at the time the invention was made to use Gray's teaching of heating the resin while molding a planar article regardless of whether the mold is open or closed. With regard to claim 20 which requires installation of the mold element in a rotomolding apparatus, it is believed that with current molding technology, the rotomolding apparatus would be modified in order to accommodate the mold element and insure a proper molding cycle. An objective of every molding operation is to insure that there is equal distribution of molding material over the entire cavity. By rotating Bordener's mold on an axis perpendicular to its planar molding surface, molding material is equally distributed to all corners and crevices of the mold element.

Regarding Claims 21-26, applicant's arguments, see the paper filed 14 April 2005, with respect to the rejection under Gray and Swain have been fully considered and are persuasive. The rejection of claims 21-26 has been withdrawn.

Allowable Subject Matter

Claims 21-26 are allowed.

Art Unit: 1732

The following is an examiner's statement of reasons for allowance: The prior art of record neither teaches nor suggests the claimed method for rotationally molding a plastic part wherein reinforcing elements are embedded substantially throughout the wall of the molded part and project from the inner surface. It is noted that US 6004652 does not show reinforcing elements that are embedded throughout the wall of the molded part; the strand is simply weaved through the molded layers.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Art Unit: 1732

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Monica A. Fontaine whose telephone number is 571-272-1198.

The examiner can normally be reached on Monday-Friday 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mike Colaianni can be reached on 571-272-1196. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Maf
July 8, 2005



MICHAEL P. COLAIANNI
SUPERVISORY PATENT EXAMINER